

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

SCOTT ANDREW MORRISON, BK0058,

Petitioner,

v.

STEVEN ACQUISTO, et al.,

Respondent(s).

Case No. [24-cv-00999-SK](#) (PR)

ORDER OF TRANSFER

Petitioner seeks federal habeas review of an October 2022 conviction from Sacramento County Superior Court, which lies within the venue of the Eastern District of California. See 28 U.S.C. § 84(b). Petitioner is incarcerated at Avenal State Prison in Kings County, which also lies within the venue of the Eastern District of California. See id.

Venue is proper in a habeas action in either the district of confinement or the district of conviction, see 28 U.S.C. § 2241(d); however, petitions challenging a conviction preferably are heard in the district of conviction. See Habeas L.R. 2254-3(a); Dannenberg v. Ingle, 831 F. Supp. 767, 767 (N.D. Cal. 1993).

Because Sacramento County lies in the Eastern District of California, the court ORDERS that pursuant to 28 U.S.C. § 1404(a) and Habeas Local Rule 2254-3(b), and in the interest of justice, this petition be TRANSFERRED to the United States District Court for the Eastern District of California.

The clerk shall transfer this matter forthwith.

IT IS SO ORDERED.

Dated: February 23, 2024


SALLIE KIM
United States Magistrate Judge